

REMARKS

By this amendment, claims 1-34 are pending, in which claims 35-37 are canceled without prejudice or disclaimer, claims 1-29 and 31-34 are currently amended. No new matter is introduced.

Applicants thank the Examiner, Mr. Ajay Bhatia, for extending a telephone interview to the Applicants' representative on November 18, 2010. During the discussion of November 18, 2010, the Applicants' representative explained that the claimed plurality of transactions cannot be equated to the instructions in *Kadyk et al.* No formal agreement was reached, pending the Examiner's detailed reconsideration of the application upon formal submission of a response to the outstanding Office Action.

REJECTION UNDER 35 U.S.C. § 103(a)

The Final Office Action mailed June 24, 2010 rejected claims 1-17, 20-27, and 30-34 under 35 U.S.C. § 103(a) as being unpatentable over *Munarriz et al.* (US Pub.2002/0156871) in view of *Kadyk et al.* (US 6,895,425), claims 18 and 28 under 35 U.S.C. § 103(a) as being unpatentable over *Munarriz et al.* in view of *Kadyk et al.* further in view of *Wener et al.* (US Pub. 2006/0085429), and claims 19 and 29 as being unpatentable over *Munarriz et al.* in view of *Kadyk et al.* further in view of *Gorty et al.* (US Pub. 2005/0171996).

In view of the personal interview and to reduce issues for potential appeal, Applicants have amended independent claims 1, 10, 15 and 25. In particular, amended independent claim 1 recites, among other features, "a plurality of transactions taking place between the gateway and the server." Amended independent claims 10, 15 and 25 include similar features in a varying scope.

This feature is supported at least by FIG. 7 and paragraphs [0069] and [0070] of the specification. For example, “the gateway 16 communicates with the IMAP server 68 using a plurality of transactions as in 54 via interface B” (see FIG. 7 and paragraph [0070] of the specification). Hence, the specification discloses that the transactions take place between the gateway and the server. However, the Office Action equates the instructions in *Kadyk et al.* to the plurality of the transactions of the claimed invention. The instructions in *Kadyk et al.* “cause a general purpose computer, special purpose computer, or special purpose processing device to perform a certain function or group of functions” (see col. 3, lines 42-46 of *Kadyk et al.*). Therefore, the instructions in *Kadyk et al.* are not transactions that take place between the gateway and the server, but rather cause a device to perform functions. Accordingly, *Munarriz et al.*, even when combined with *Kadyk et al.*, fails to teach or suggest the features of amended independent claims 1, 10, 15 and 25. Additionally, the other cited references do not cure the above deficiencies of *Munarriz et al.* and *Kadyk et al.*

CONCLUSION

Accordingly, the Applicants submit that the applied references, either when taken singularly or in combination, fail to disclose or suggest all of the limitations recited in independent claims 1, 10, 15, and 25. Therefore, the Applicants respectfully request the withdrawal of the obviousness rejection of these independent claims. The dependent claims are considered allowable for the reasons advanced for independent claim from which they respectively depend.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any

unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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